

## REMARKS

The Drawings, Specification, and Claims are objected to on formal grounds. We have amended the application to overcome these objections.

Claim 49 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claims 1, 3-5, 23-25, 35-36, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by *Takeuchi et al US 4354301*.

Claims 1, 3-5, 23-25, 35-36, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi*.

Claims 6-8 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Schumaker US 3835681*.

Claims 9-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Paulus et al US 4432120*.

Claims 12 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Paulus* and further in view of *Steigerwald et al US 4248921*.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Hamanaka et al JP 61092790*.

Claims 18 and 19 are rejected under U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Hamanaka* and further in view of *Baba et al JP 55040011*.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Hamanaki, Baba, and Paulson et al US 3850729*.

Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Slaughter US 3938723*.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Slaughter* and further in view of *Delalle et al US 5086967*.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Slaughter* and further in view of *Steigerwald*.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Slaughter* and further in view of *Steigerwald*.

Claims 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Raybould US 4782994*.

Claims 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Takeuchi* in view of *Hamanaka, Schumaker, and Hino et al JP 10128424*.

Claim 1 has been amended to distinguish the present invention from the *Takeuchi* reference by including the limitation "only in a roll nip or before a roll nip."

The *Takeuchi* reference is a method for producing a decorative stripe-pattern metal plate, for jewelry and other items. In *Takeuchi*, metals sheets which are identical in length and width and which have different colors are layered and bonded to each other to provide a layered structure decorative plate. The resulting plate may be cut at a particular angle transverse to the layers to provide a pattern of stripes with different colors. The *Takeuchi* plate may be thinned by "rolling" for example onto a rectangular base plate as shown in Figure 9 of the *Takeuchi* disclosure. The *Takeuchi* "rolling process" creates a plate having a rectangular shape and having on one side a pattern of stripes with different colors.

The presently claimed invention stands in contrast to the *Takeuchi* reference. Here, individual strips of different widths, and which do not comprise a staggered boundary area between two longitudinal edges, are fed to a roll nip or roll gap between two working rolls of a rolling mill. They are combined in a roll gap or nip or shortly before the roll gap or nip to form a composite first arrangement of stripes having a staggered boundary area. Additional strips which are used in conjunction with the first staggered arrangement of strips, and a second arrangement of strips having a rectangular cross section are also fed into the roll gap or nip. The additional strips are combined with the strips of the first arrangement of

strips only in the roll gap or nip, or shortly before it. In this way, the strips of the first arrangement having a staggered boundary area are bonded to each other by the rolling step in the roll gap or roll nip. Additional strips which complement the first arrangement of strips, with respect to a second arrangement having a rectangular cross section, are preferably not bonded to the strips of the first arrangement of strips, or alternatively are only slightly bonded, as they serve only as "lost inlays" to enable the rolling of the staggered first arrangement of strips.

*Takeuchi* in contrast first produces a layered body which is subsequently cut in slices and which thereafter may be rolled. In contrast, the present invention instead combines the individual strips by rolling to produce a staggered product. This is only possible by feeding individual strips, some of which are used as lost inlays, into a roll gap for producing a staggered composite strip.

If a staggered arrangement of strips are fed into the roll gap to bond them by the rolling process, then the staggered arrangement would result in a non-homogeneous rolled product. The staggered portions would undergo a larger deformation than the non-staggered portions. This problem is overcome by providing additional strips, which are used as lost inlays, to complete the staggered arrangement all during the rolling step to a pure rectangular cross section of the arrangement.

The Examiner objects to the drawings as failing to show certain features of the claims. He points to the language "equalizing process is carried out after all additional strips have been removed from the rolled second arrangement of strips" as being not shown in the drawings. However, applicant notes that in fact this process step, which is contained in claim 22, is in fact disclosed already in the drawing figures. Also, a description of the processed step is also provided in the originally submitted disclosure, page 24, section 2. An equalizing roll stand 13 is located between a winding up winch 25 for inlay strips 26 from the lower layer of the second arrangement of strips. Behind the equalizing roll stand 13 there is a winding up winch 27 for the strip 28 which is produced. An additional winding up winch 29 for lost inlay strips 13 which may occur from the upper layer 24 of the second arrangement of strips is located downstream of the winding up winch 27. Winch 29 is for the lost inlay strips 13. In the case there is one or more inlaying strips 26 provided only on the lower side of the arrangement of strips leaving rolling strip 1, then all additional strips, the lost inlays, have been removed from the roll's second arrangement of strips before the strip 28 to be

produced enters the equalizing roll stand 13. In this way, the equalizing process is carried out after all the additional strips have been removed from the rolled second arrangement of strips, according to present claim 22. For these reasons, it is asserted that the present claim amendments, and all limitations, are adequately disclosed in the drawings.

## **CONCLUSION**

Applicant asserts that all of the Examiner's objections have been obviated, and therefore now respectfully requests withdrawal of the objections and allowance of the application.

## **PETITION FOR AN EXTENSION OF THE TERM**

Applicant hereby petitions for a three-month extension of the term for reply from 23 May 2009 to 23 August 2009. Submitted herewith is a check for \$555 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account Number 04-2219, referencing our Docket Number 14183.

Respectfully submitted,

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